

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

ROTHSCHILD BROADCAST
DISTRIBUTION SYSTEMS, LLC,

Plaintiff,

v.

DIALPAD, INC.,

Defendant.

Civil Action No. 6:20-cv-01040-ADA

STIPULATION TO SET ASIDE DEFAULT

Plaintiff ROTHSCCHILD BROADCAST DISTRIBUTION SYSTEMS, LLC

(“Rothschild”) and Defendant DIALPAD, INC. (“Dialpad”), HEREBY STIPULATE as follows:

WHEREAS, Rothschild filed a proof of service indicating that service of the complaint and summons in this matter was served on Dialpad on March 12, 2021 (Dkt. No. 8);

WHEREAS, Dialpad never received a copy of the summons or complaint at its corporate offices or via any electronic means;

WHEREAS, the Clerk of the Court entered default on May 5, 2021 (Dkt. No. 10);

WHEREAS, Dialpad learned of the entry of default on May 24, 2021, and immediately contacted Rothschild;

WHEREAS, the Parties wish to cooperate in setting aside the default and providing a period of time for Dialpad to evaluate the Rothschild complaint and respond to it;

IT IS HEREBY STIPULATED by the parties, subject to the approval of the Court, that:

1. Pursuant to Fed. R. Civ. P. 55(c), the Parties hereby respectfully request that the Court set aside the default entered by the Clerk in this matter;
2. Dialpad shall respond to the Rothschild complaint by July 2, 2021.

IT IS SO STIPULATED.

Dated: June 2, 2021

By: /s/ Jay Johnson, with permission

by Michael E. Jones

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Attorneys for Defendant

CERTIFICATE OF SERVICE

The undersigned certifies that on June 2, 2021, I electronically filed this document with the Clerk of Court via the Court's CM/ECF system which will send notification of such filing to all counsel of record, all of whom have consented to electronic service in this action.

/s/ Michael E. Jones